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# the Docket



Vol. XXVII, No. 4

THE VILLANOVA SCHOOL OF LAW

January, 1991

## Ezold Wins Landmark Discrimination Case

by Suzanne Bender

Denied partnership at Wolf, Block, Schorr & Solis-Cohen, Nancy O'Mara Ezold, VLS '83, is the first rejected associate to take a law firm to trial. And win. A three-week bench trial last Fall resulted in a federal judge's determining that the prestigious Philadelphia law firm had committed sexual discrimination when it refused to offer partnership to Ms. Ezold.

At trial, Ezold's attorney, New York employment expert Judith Vladeck, suggested that Wolf Block had offered partnerships to much less qualified male associates. To substantiate that claim, Ezold read aloud comments from evaluations about male associates written by several of the firm's partners. The remarks included: "Overly impressed with himself."

"Does not focus on the issues."

One male associate "disappeared" without notice, sometimes for a couple of days and sometimes on extended vacations." This associate caused the firm to lose a million dollar account.

Another associate committed malpractice when he delivered a sealed document to opposing counsel.

The male associates mentioned above became partners. And there were more. Surely, those and similar evaluations "clashed with the dignified Ivy League law-review image that the firm was trying hard to construct." (*American Lawyer*, Nov '90 p. 54) Several of the comments read at trial appeared in a *Philadelphia Inquirer* article entitled "Some become law partners, warts and all, trial shows."

Even prior to the ruling in Ms. Ezold's case, Wolf Block's reputa-

tion had changed. To dismiss charges of discrimination, the 215-lawyer firm, founded almost 90 years ago, couldn't simply rest its laurels on its founder, Morris Wolf, and its early tradition of being one of the few firms in Philadelphia where a Jewish attorney could get a job.

"Taking advantage of his aristocratic roots among Philadelphia's German Jews, emphasizing his own litigation practice, and building the city's best real estate practice, Morris Wolf created a firm that came to play a major role in the Philadelphia legal community. It provided five chancellors of the bar association, three city solicitors, and one mayor. Until recently Wolf Block employed more lawyers in Philadelphia than any other firm." (*American Lawyer*, Nov '90, p. 56)

But things change. Discord from within caused a former partner to suggest that while members of the local legal community would once have said Wolf Block is a wonderful place to be, they now say it was "a wonderful place to have been." (*American Lawyer*, Nov '90, p. 56)

### Ezold's resume

After college, Ms. Ezold spent thirteen years as assistant or administrator in Edmund Muskie's office, the Philadelphia Model Cities Program, and a special prosecutor's office in Philadelphia. She entered Villanova Law School in 1977, when she was 35, and gave birth to her second son before her third year. She finished in the top third of her class. After graduating she spent three years with two small Philadelphia firms and joined Wolf Block in 1980 at the age of 40. She was told when she arrived that it would be "difficult" for her to make partner because she went to Villanova, didn't finish at the top of her class, and wasn't on law review.

Referring to Wolf Block's per-

ception of Ezold's legal education, a former chairman of the firm's



litigation department (where Ezold spent five years as an associate) remarked, "She could never overcome the prejudice of her law school record, which is like walking around with a yellow star on your arm. You can't overcome that." He also suggested that during the hiring process, partners would tend to make comments like, "Give me X, the smart Jewish kid from Harvard." (*American Lawyer*, Nov. '90, p. 56)

Although the firm is predominately Jewish, "it's been a long time since it had its pick of Jewish Ivy League law-review editors." (*American Lawyer*, Nov. '90, p. 56). Historically, as the legal community became more receptive to Jewish attorneys, Wolf Block

admitted non-Jews, showing a penchant for Irish Catholics although, according to a former partner, "there remains a widespread impression that if you want to make it to the top, it helps to be not just Jewish but German-Jewish" (*American Lawyer*, Nov. '90, p. 56).

Of the firm's 102 partners, 5 are women. Its statistics don't compare well with those of other large Philadelphia firms. Of the 159 partners at Pepper, Hamilton and Scheetz, for example, 20 are women. The firm named its first woman partner in the 1940s. Progressive? No. She was a named partner's daughter. The next time a woman would make partner at Wolf Block would be 30 years later.

### Interview

Although you specialized in white-collar criminal defense cases at Wolf Block and had worked in the firm's litigation department for five years, the firm informed you in 1988 that you wouldn't become a partner in that department but could become a partner in its domestic-relations department if you continued to work as an associate for another year. Had you done much, if any, domestic relations work at Wolf Block?

About 60% of my work was in white collar crime and 40% was civil commercial litigation. I had handled only a couple of domestic-relations cases in my entire five years at Wolf-Block in the beginning of my career there.

Isn't domestic relations a field which "typically" attracts female attorneys? If so, in your opinion, was Wolf Block's offer to make you a partner in that department an obvious display of its intent to discriminate?

I suppose you're more likely to find more females than males in that field — whether it's because

females are "attracted" to it or assigned to it, I don't know.

What indicated an intent to discriminate was that no male attorney was asked to drop my speciality to go into an area in which — at least in recent years — I had no experience. And as I testified at trial, when it was offered to me, I was told I could learn that area of the law in a couple of weeks — which indicated to me that it was an area of law which Wolf Block didn't value highly, which further indicated to me that I was being offered an opportunity to practice in a field of law which the firm didn't respect.

Judge Kelly ruled that the firm committed sexual discrimination when it refused to make you a partner. Do you still believe there were other reasons behind your not being admitted to the "inner circle of power," such as your legal education, your class rank, and your not having been on law review?

No, I didn't think my legal education, class rank, and not having been on law review had anything to do with my denial of partnership.

Do you feel the case might have turned out differently if the judge had not been, as Judge Kelly was, a Temple Law graduate who was not on law review? What I'm getting at is Judge Kelly's dismissal of Wolf Block's contentions that you didn't make partner because, among other things, you went to Villanova and weren't on law review; instead, the judge focused on the sexual discrimination aspect of your case. Do you think an Ivy-educated judge would have given any credence to the firm's other contentions?

No, the record indicated substantial evidence of discrimination based, for example, on written

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## the villanova environmental law journal



### Environ. Law Journal

It has been a successful inaugural year for the **Villanova Environmental Law Journal**.

Four of the six published pieces in Volume I, Issue I have been chosen by Westlaw to add to its data base. These articles include pieces authored by New Jersey Governor James Florio and Villanova Law Professor John Hyson. The two remaining Volume I, Issue I articles also received recognition. Franklin Kury's **The Environmental Amendment to the Pennsylvania Constitution** and **How to Handle a Complex Criminal Environmental Case**, authored by Stephen Brown and Alison Benders, were cited in the "Worth Reading" section of the **National Law Journal** issue dated December 31, 1990.

Volume II, Issue I is due out in mid-March. It will feature an innovative format: a written transcript of the **Journal's** first annual symposium held at Villanova in March 1990. This transcript of the alternative dispute resolution symposium will be complemented by articles authored by symposium panelists.

Health-related environmental issues are a highlight of the most recent edition of the **Journal**. This issue is currently available at the Student Services Center.

Both the past and present Editors and Staff of the **Journal** are to be commended for their work in producing a high-quality, nationally-recognized publication in a single year.

### Counseling Competition Underway

The Tenth Annual Villanova Client Counseling and Interviewing Competition is underway. The competition is being held from January 14 through the Final Round on February 13. The competition simulates a law office consultation situation, in which two students acting as a team, are presented with a typical client matter (which they have previously seen). Each attorney team is presented with a short memorandum from the legal secretary setting up the appointment. They must conduct an interview with

a person playing the role of the client. The teams are judged on how well they ask appropriate questions and evaluate the information that they have elicited. Their goal is to determine the pertinent facts from the client and to consider legal, economic, and practical issues in formulating their recommendations. Participants are also evaluated on their lawyer-like professionalism. Only the client and the judges are privy to the full script.

Teams are given a time limit of (Continued on page 5)

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## EDITORIAL

## The War Thing

*My labors logicless,  
You must explain, not I;  
Sense sealed, I wrought without a guess,  
That I evolved a consciousness  
To ask for reasons why.*

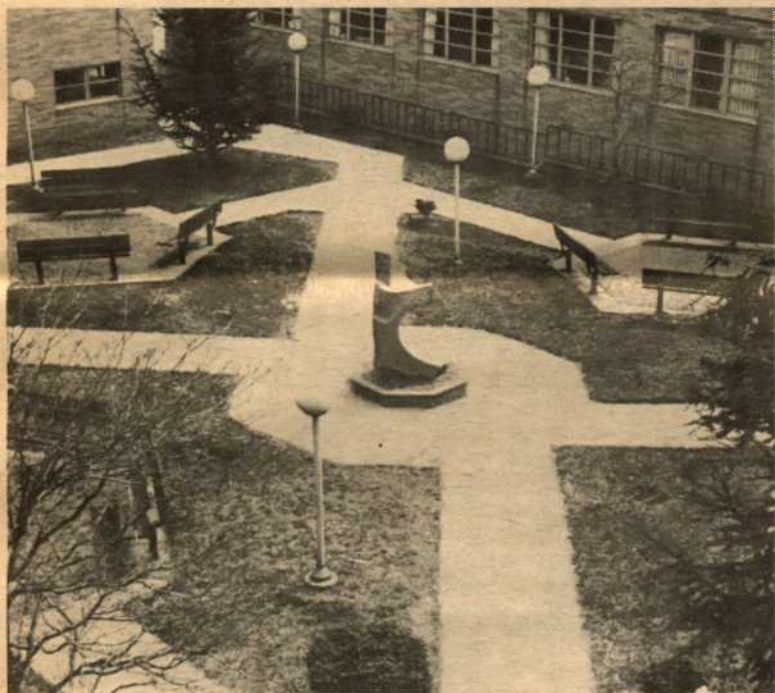
— Thomas Hardy

We watched and waited; we hoped for the best (peace) but were warned to prepare for the worst (war). And the worst came. The tension swelled till it burst. And suddenly we are at war.

War? For many of us, it is a notion difficult to grasp, a situation defined by photographs we encountered as small children while turning the big pages of LIFE magazine. The "major" events of the first ten or so years of our lives remained purely visual (the media: the t.v., the magazines) until we began to actually think about what was behind those scenes: black and white pictures of naked Vietnamese children, hungry and orphaned, helpless and confused by the war; bloody Robert Kennedy on a stretcher being rushed into an ambulance (in color while we watched t.v., not heeding the television announcer's warning that the following might be unsuitable for small children).

A friend who has a ten-year-old child didn't want her to watch the television during the first night of the war because, he said, she has "no context, no perspective" to put it in. And I think that's absolutely right because, after all, what is war to a ten-year-old? It's something bad that's happening somewhere else. We still get up and go to school in the morning, we hope for snow so we'll get a day off, and we look forward to the weekends. Our lives go on, as they must.

Meanwhile, mixed adult emotions fight it out at home: No blood for oil! Support our troops: it's not their will which created a megalomaniacal tyrant. An evil man? Another Adolf Hitler? God willing, this will end soon. War and brutality is senseless.



The Courtyard Thing

What is it, the Courtyard Thing? We thought they were gonna build a Taco Bell in there. They planted some trees. "That's nice," we thought. We like trees. But then they overdid it with all that shrubbery: rhododendrons everywhere. Then they began building elaborate trellis-like structures. Everywhere. What are these, labyrinths? How much more confusing will law school become? Will grape vines grow on it? Is it, in fact, intended to be a life-sized maze? It's getting kind of crowded in there. And still we wonder: what is the Courtyard Thing...

All this excitement and confusion prompts me to wax lyrical:

## Courtyard Haiku

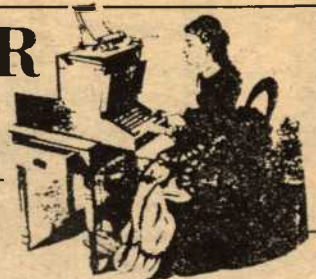
*Jardin des plantes  
and wood: Perplexing; where are you? Here!  
Where? Here! Oh.*

TOP TEN ONE-L NEW YEAR RESOLUTIONS  
by Tom McPherson

10. Don't repeat mistake of doing Legal Writing assignment in pencil.
9. Make time for more pleasure reading such as browsing through old future-interest notes before bedtime.
8. Get resume to Jacoby & Meyers **before** fall grades come out.
7. Begin constant effort to think, act, and whenever possible, look like Socrates.
6. Find more tactful way of beginning every argument in class other than "Listen, bonehead..."
5. Quit giving Dean Frankino "high fives" in hallway.
4. Find more serene place to do outlines other than Marita's on Wednesday nights.
3. Refill anti-depressant prescription after spring break.
2. Substitute Victor Cifuentes in place of Bennie as new "LA Law" role model.

And the Number One Top Ten One-L New Year Resolution is:

1. Really pay attention in that damned Legal Research class this time.

COUNSELOR  
AT LARGE

## Dear Counselor-at-large:

I am a first year student from the mid-west, and I am so impressed by the magnificent architecture here "out east." Specifically, I am impressed by the stately buildings at the great eastern universities; Harvard, Yale, and Villanova Law School. Please tell me more about the design of the last!

Impressed from the  
Mid-West

## Dear Impressed:

Like all other architects of this period, the designer of Villanova Law School, Thomas T. Square was influenced by the Bauhaus, Art Deco and Romanesque movements. The spire on the school is a neo-gothic structure reminiscent of the great cathedrals built in the Normandy region of France by the Augustinians, late in the reign of Henri II. However, Square was mostly affected by the architecture of secondary education buildings of North America. This influence can be seen in the wall lockers, dim lighting, and hallways which can be hosed down at year's end, when all the students have left.

The significance of Square's remarkable achievement has not been lost on the architecturally-minded students at the law school; in accordance with his precepts and in order to promulgate his vision, these students have enhanced his work by crafting playful references to genitalia, and inscribing them on the lavatory walls, a thing for which the influencing structures are famous.

## Dear Counselor-at-large,

I feel really sick about the war in the Gulf. How am I supposed to care about my school work when the rest of the world is fighting and changing history before our eyes. Law school is like a vacuum. Shouldn't we be addressing the issues of war in our classes? The professors seem

only to care about staying on schedule with the syllabus. Between every class, the lounge is packed with students watching the news so I know my fellow students care about what is going on there. I just feel like we are all so helpless and that the importance of law school pales in comparison to what is going on in the rest of the world.

## Signed

## Frustrated War Observer

## Dear Frustrated,

I sympathize with your confusion on how you are supposed to act and what you are supposed to care about these days. But don't fault your professors, they are only doing their job in teaching what is required for the class. Likewise, you too must also remember you are a student and your job is here. However, this does not and should not mean we as students should ignore the war. It impacts all of us, even if not directly in this country... yet. In such uncertain times it's important to talk about the issues and feelings. If you support our troops in the Gulf perhaps you can contact your SBA representative and organize sending care packages and letters to soldiers overseas. You may also decide that Garey Hall needs a yellow ribbon to show its support to the world. You may try circling a petition to get one put up. (I have seen houses in the area with yellow ribbons to show support for the troops).

If you believe the United States has no business in trying to keep Saddam out of Kuwait, that all this will result in a tremendous loss of life and the goal of stability in the middle east is a ridiculous one, as the region has not been stable in 2,000 years, then express yourself! You can urge your classmates to write three letters, one to their congressman and two to their senators. Politicians listen to fan mail.

The point is to do something to channel how you feel about the fighting into a useful activity. There have been discussion groups about the war held in school. Organize more. And remember that in times of war, becoming paralyzed with fear and uncertainty about the nation's future does not help you nor your country.

## Dear Counselor-at-large:

Law School really bugs me! I am a 1L and I am so sick of it. Everyday its the same thing. Everyday I look and listen to the exact same faces. I have already memorized the wardrobes of my fellow classmates and the professors. The novelty has worn off and now the law does not seem exciting but only an endless grind. Does it ever get better?

Signed  
Typical 1L

## Dear Typical:

Well, you are right on time for the mid-year winter blues. Every year at this time many 1Ls get depressed. The weather is miserable, the work is miserable and they feel miserable. Also you are facing the truth that "yes Virginia, law school and the law is mostly a grind!" Face facts this is not L.A. Law. To quote Scott Turow, law is sometimes like "stirring cement with your eyelashes." You may never find it as exciting as you did in those early days of first year. But don't despair because it does get better after first year. Next year you'll be able to pick your classes and you'll be able to avoid the ones that you find unbearably boring. You'll also be in classes with students from the other section so you'll get to meet new and exciting law students in each and every class. Just hang in there. Soon it will be spring break and once the weather gets warmer law school life won't seem so harsh.

Submissions Deadline For  
February Issue: February 21

## the Docket

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*The Docket* is published monthly by the students of Villanova University School of Law, Villanova, Pa. 19085. Letters and articles are welcome from students, faculty, alumni and the community. Paid advertisements are also accepted. *The Docket* is distributed free to all current students, faculty and administrators. Alumni who wish to receive *The Docket* by mail should notify *The Docket* office at the above address.

**Faculty Advisor**  
Prof. John Cannon



## OP-ED

# Fort Bragg and Back: An Evening with Cateria

by Lisa Massey

I recently had the opportunity to interview Cateria McCabe, a third year law student who's army reserve unit was called to serve during Christmas vacation. Ms. McCabe received a phone call in December during a family dinner in which she was told to report on December 27.

Cateria knew during the exam period that she might be sent to Saudi Arabia. Not only did she have to deal with the stress that all of us feel during exams but she worried about how she would prepare her mother for the possibility that she might serve in a war against Iraq. At the time Ms. McCabe was called, of course, war had not yet broken out, so she tried to make light of her coming duty for her mother's sake.

When December 27 came Cateria reported for duty along with her family who accompanied her to see her off. As Mayor Goode and other dignitaries spoke, Cateria said she struggled to maintain her emotions — she was not certain when she would see her family again, her orders stated she could not expect to return for at least 180 days. As hard as Cateria tried to check her emotions for the sake of her mother, she says it was her mother who gave Cateria her strength that day. Ms. McCabe could not help but let her eyes fill during the speeches given, but her mother remained strong and brave for her daughter even as she hugged and kissed her goodbye.

Ms. McCabe was sent to Fort Bragg, North Carolina, where she and the others in her unit were given weapons training, language and cultural training and nuclear biological and chemical training (NBC) along with other hands-on training. NBC is something many of us are now aware of after SCUD missiles were launched into Israel

by Iraq. Many of us watched as reporters put on their special germ warfare suits and masks and explained how to use the anti-nerve agents contained in a syringe which if needed, they would insert in their thigh.

Cateria McCabe stayed in North Carolina for 21 days. While she was there she experienced mixed emotions — she was concerned for her family, unsure about her future and yet realized that others in her unit had left not only parents and siblings but also their own young children. Ms. McCabe said she felt especially sorry for the single parents who'd had to find a quick solution for the care of their children before they left to serve.

Cateria's day would begin at 5:30 a.m., among other exercises they ran 1.5 miles a day. In one exercise Cateria's unit had to march 6.5 miles carrying 70 pounds of 1/3 of their body weight, whichever was less.

Ms. McCabe and a few others were able to return home 21 days after reporting to duty, but the rest of her unit were sent to Saudi Arabia by plane on January 20th.

When I asked Cateria what she thought of the media censorship that has existed during this war she stated that it was important for the American public to be informed, yet she understood the need for security measures. She felt that the media has a tendency to overdo it, for example, she said, the public has a right to be informed of the plight of the POW's, but the media should be sensitive to the families of the captured pilots.

As to the peace marchers, Ms. McCabe states that, of course, protesters have a right to express their opinions about the President's actions, but even those

against the war should support the troops through letter writing or any other means possible. To Ms. McCabe there is no contradiction in supporting our troops while being against the war.

One of the main theories of those who oppose the war is the accusation that the President is spilling blood for the sake of oil. Ms. McCabe denies that the issue of the war is as narrow as the price of oil, but she concedes that the United States government has not given us an adequate explanation as to why we are there. It makes little sense, she says, for the government to state we are in the Gulf for the sake of human rights when the United States has ignored past human rights violations and in light of the imperialistic history of our country.

There are other issues to this war, issues that might dramatically effect us at home but which might not be readily apparent until the war is over. Two issues that will effect us in coming years involve race and sex. As many know there are a disproportionate number of African-Americans in the Gulf. Ms. McCabe believes that this is a reflection of the lack of jobs at home. She says that many African-Americans turned to the Armed Forces to get the training and the jobs not available in civilian life because of discrimination. The fact that so many African-Americans willingly put their lives on the line for a country that does not treat them fairly will, hopefully, highlight the fact that racism is alive and well in this so-called land of the free. Perhaps those who deny the reality of racism in these modern times will be forced to take a second look.

For the first time there are many women actually involved in a war. Who would have believed

during World War II that women would never forget what it was like to earn a paycheck for the first time; that although women appeared to willingly give up their jobs when men returned this experience would have tremendous impact in the groundswell of the women's unbeaten movement less than twenty years later. Because Ms. McCabe was born a woman and African-American she has been able to gauge early responses to both of these issues. Unfortunately the immediate response she has experienced to women being called to war is a backlash against equal rights for women. She is afraid that women will fear going to war so much that they will back down from unresolved issues like equal pay and opportunity. Many of the women who do blame the demand for equal rights for the possibility that women will die fighting in a war don't understand the "politics of patriarchy" according to Ms. McCabe. Many of the women she has talked to who blame equal rights for the existence of women soldiers in the Gulf appear ignorant of the fact that we fought at home.

Ms. McCabe has many friends in the Persian Gulf at this moment. She prays that they are stronger than their circumstances and are giving each other support. She will greet them when they return. Many reservists, she says, never anticipated participating in a war when they signed up and she hopes they remain safe while serving their duty.

She urges us to write and send encouragement to those soldiers who can use moral support and spiritual uplifting. She has posted on various bulletin boards the names and addresses of soldiers in need of mail. Some of the names and their addresses are printed

below:

A-Troop 2-4 CAV; Operation Desert Storm; APO New York 09315

S.S.G. George Stinson  
S.P.C. Melvin Ramos  
S.S.G. William Rivera  
P.F.C. Casey Williams  
S.P.C. Jeffrey E. Gajewski  
S.P.C. Reginald Lynch  
Sgt. Tyrone Robinson  
S.P.C. Emmitt Riseden  
P.F.C. Edward Bowens  
S.P.C. Larry Porta  
Sgt. Tommy Williams  
P.F.C. Gregory Mercer

List obtained from Sgt. Robinson who wrote his mother asking her to find pen pals for soldiers in need of mail. Letter dated 15 October 1990.

*"I would like to thank the VLS community for all the prayers and good wishes while I was in Fort Bragg, N.C. It is truly a blessing to be back home. Please continue to pray for peace and the safe return of soldiers sent to the Persian Gulf."*

*Pasted on various bulletin boards will be the names and addresses of soldiers who are in need of mail. Regardless of your views on the war, please write and send encouragement to people who can use moral support and a spiritual uplift. Thank you."*

Cateria R. McCabe

## Ezold Discrimination Case

(Continued from page 1)

assignments. I often was not assigned to larger, more complex cases while male associates with less experience were.

*Given Wolf Block's contentions, then, it's rather ironic that the firm selected a Villanova Law alumni (Mark Dichter of Morgan, Lewis & Bockius) to defend it, don't you think?*

Yes, I do. I think it's an indication of how they felt about their own defense.

*The remedies portion of your case has yet to be determined. Do you still want to be a partner in a law firm that, for whatever reasons (be they legitimate, nondiscriminatory ones or not) "doesn't want [you] today and vows to appeal the court's ruling"? (Philadelphia Inquirer, Dec. 3, 1990)*

The firm, as an institution, didn't want me to be a litigation partner, but there are a number of people whom I worked well with, I respect and, I believe, respect me. This is what we as lawyers do everyday. We go inside courtrooms to seek resolutions. I believe, then, as lawyers, we should be able to live with and abide by those resolutions, whether we like them or not. This is our job. Yes, I still want to be a partner at Wolf Block.

*Referring to you, Lynn Heck Schaffren, lawyer and director of the National Judicial Program to Promote Equality for Women and Men in Courts of New York, said, "It took tremendous courage for her to bring this suit because it's professional suicide to do so. She'll always be labeled a troublemaker." (Philadelphia Inquirer, Dec. 3, 1990). Even though you've received a favorable ruling, are you nevertheless concerned about "profes-*

*sional suicide"? About being "labeled a troublemaker"?*

I have some concern about my professional future, sure. While some attorneys commended me, it's clear to me that it's going to make my professional life more difficult.

As I've already indicated, of all the people who ought to be accommodating to judicial decisions, it should be attorneys. I took a very big risk that I would lose, I was willing to live with that decision. How do you think Wolf Block's contentions (for not making you a partner in the litigation department) will — or should — affect female law students at Villanova and other non-Ivy law schools who might otherwise consider interviewing and/or accepting employment at Wolf Block? [Note: Wolf Block also claimed that Ms. Ezold's analytical skills weren't up to Wolf Block's standards]. At other "large" firms where the male-female statistics are similarly disproportionate?

I don't know how you could not consider their defense if you were going to apply to Wolf Block. Generally, I think that statistics don't necessarily reflect the influx of women into this profession. I'd say that when applying to any firm, law students should be aware that discrimination can occur — at any firm. Don't jump at offers. Ascertain a firm's track record first. You can do that by talking to women at the firm and other people who have left the firm. You can also look in the law school's placement office. It's very important, after law school, to do a little homework to figure out what might happen to you in the "real world."

*Putting the issues of the case aside now, what made you decide, at the*

*age of 35, to become a lawyer? Why did you choose Villanova?*

I didn't decide to become a lawyer when I was 35. I decided that at the age of 18 but, for personal reasons, couldn't get here till then. I chose Villanova because of its reputation and because of geography.

*As an experienced trial attorney who has worked at several law firms, where do you think new law school graduates who wish to become trial lawyers should seek employment, at smaller firms or very large ones? Do you think new lawyers get more "hands on" experience at smaller firms?*

The District Attorney's office, the U.S. Attorney's Office or at small to medium-sized firms: You definitely get more hands-on experience at smaller firms. It probably wouldn't be a bad idea to get trial experience at a small firm — then you may want to go into a bigger firm.

*Since you began working as an attorney, have you experienced other forms of sexual discrimination or harassment in your professional life?*

No sexual harassment. My case turned on what it took to become partner. As for discrimination, I dealt with many cases where people didn't know how to deal with a woman attorney. Sometimes that's a benefit; sometimes it's a detriment.

*What advice do you have for female attorneys who think they may have been subjected to sexual discrimination?*

If you have a situation where you really believe you're being treated in a discriminatory way, whether it's harassment or discrimination, obtain counsel so someone else can look at the

situation objectively. It's important to know your rights. Not every case ends up in a courtroom. That probably means that women aren't speaking out.

*Any parting words?*

If you're in any situation which has a serious impact on your life, always know what your rights are. Seek an objective evaluation and learn your options. Often, it's possible for a situation to be

## Class of 1990 Employment Stats

by Maria A. Sawczuk

Now that spring semester is upon us, the Class of 1991 is probably wondering what the months after graduation have in store for them. The best way to find out what lies ahead is to look at what the Class of 1990 has accomplished so far.

The Career Services Center has compiled a list of what just about every member of the Class of 1990 is doing. Of the 207 graduates listed, 60% stayed in Pennsylvania to practice law. The reason is probably due to Villanova's successful pass rate on the Pennsylvania Bar Exam. Of the 1990 Villanova graduates who took the PA bar, 96% passed. That's 16% higher than the state average! And to top that off, 100% of the Class of 1990 who took the New York Bar Exam passed. New York only has a 70% pass rate, 78% for first timers! Dean Frankino commented that he and the faculty are "extremely pleased" with the success of last year's graduates.

There are probably two things foremost on the minds of the next to graduate; (A) Will I get a job?

remedied within a law firm.

What now?

Presently, Ms. Ezold is working at a small firm in West Chester, a situation which she views as temporary. Until Judge Kelly rules on the remedies portion of her case, she maintains her strong desire to return to Wolf Block as a partner in its litigation department. Wolf Block says it plans to appeal the liability decision.

and (B) How much will I make? Well take heart. If last year's graduates are any indication, you don't have much to worry about. Only 10% of the class are presently seeking employment. And the average salary of those with jobs is over \$47,000.

As to what you'll be doing and who you'll work for, the majority of last year's graduates work in private law firms. Two graduates already have their own private practice off the ground. 12% of the recent graduates hold clerkships with judges from Pennsylvania to as far north as Rhode Island. And five have stayed in an academic environment, either interning or pursuing further degrees. Another five have obtained jobs outside the legal profession in fields as diverse as radiology and high school teaching.

So look forward to the next step in your lives, Class of 1991. And just think how well you'll be prepared for the outside world, and how good you'll look to others, because you graduated from Villanova!



## You may ask yourself . . . pro bono?



by Professor  
Catherine J. Lancot

When I turned the calendar page to January this year, I started to think seriously about mandatory pro bono work for law students. Let me explain the connection. This is the time of year when those of us who are members of the Enrollment Committee begin to read law school applications, trying to decide who will be part of Villanova's Class of 1994. Each year, I've been struck by the contrast between the personal essays submitted by our applicants and the expressed attitudes many of these same people apparently hold a short three years later, when we in legal education are finished with them. And each year I ask myself, "What are we doing to these people?"

Applicants to law school, for the most part, are idealistic about the system of justice in our country. Many of them have been active in public service before applying to law school. Some say that they are drawn to law school because they want to continue that service. Most say that they want to come to law school because they believe that lawyers can make a difference in the world, in whatever area of practice they ultimately select.

Even as I write these words, I imagine a second or third year student reading this, and rolling his or her eyes in disbelief. In fact, as you read this, you may already be thinking about turning the

page to check the volleyball standings. Maybe you don't really want to be reminded of what you said in your pre-law essay. How naive I was, you think. I can't believe I made up all that stuff, you tell yourself. I'm only in it for the bucks now, you insist.

But are you telling yourself the truth? In your most candid moments, you may ask yourself, "How did I get here?" Deep down inside, you may admit to yourself that you once did believe what you said in your application about improving the quality of justice in America. If pressed, you may tell yourself that you still believe what you once said about entering the legal profession to help people, or going into private practice to give something back to the community. But after two or three years in law school, you may find yourself too embarrassed to admit to such notions in public. So you push those thoughts aside and get yourself through the next day. And someday soon, when you find yourself behind a big desk, beneath a big pile of document requests, in a big corporate law firm, you may ask yourself, "My God! What have I done?"

Has law school made you the best person that you can be? Or has law school instead destroyed what was best about you? If it is true, as some have suggested, that our law schools take the brightest and most idealistic citizens our country has to offer and turns many of them into cynical and disillusioned people who no longer believe in the justice system, then there is something fundamentally wrong with our system of legal schools. Maybe instead of stamping out the altruistic ideals so many of our students bring to law school, we ought to nourish and encourage those ideals while they're in law school. Maybe, just once in a while, we ought to talk about justice.

So I've been thinking about whether pro bono requirements for law students would help people to keep some perspective on why they came to law school in the first place. In particular, I've been wondering whether Villanova ought to consider the type of pro bono program that is currently

in operation at the University of Pennsylvania. At least four other law schools (Tulane, Valparaiso, South Carolina, and Florida State) recently have instituted similar programs. In early January, at the annual meeting of the Association of American Law Schools in Washington, D.C., law professors from all over the country spent a day considering ways to enhance public service in the law schools, and much of the discussion focused on this question. It may be time for us here at Villanova to open the floor to debate on this issue as well.

The basic question is simple. Should law students be required to perform a specified number of hours of unpaid legal service, for those who cannot afford lawyers, for government agencies, or for public interest groups, in order to

In that spirit, let me briefly detail what I see as the benefits of a mandatory pro bono requirement for law students.

**1. Requirement with a purpose.** We require that students take Contracts, Property, Civil Procedure, Torts, Criminal Law, Criminal Procedure, Legal Writing, and Legal Profession. We require that students take a variety of courses in a number of categories. Indeed, we require that our students take upper-level courses exposing them to commercial law (Category II) and property law (Category III). These requirements presumably serve certain educational goals, but they also reflect judgments about what is important for students to learn during their law school years. Similarly, a pro bono requirement would demonstrate the commit-

ment of legal education to the public service our profession espouses. It would teach students how to fulfill their public service obligations, so that when they become lawyers, they will be more likely to continue their commitment to professionalism, whether in private practice, government service, or public interest law.

**3. Opportunities for practical experience.** Most students would prefer to learn to be lawyers by actually doing legal work, rather than by sitting in class listening to other people tell them how to do it. A pro bono requirement would provide additional avenues for all students to obtain practical work experience during law school. Ideally, the work students who perform would have real benefits for live people, perhaps providing for law students the emotional satisfaction from one's work that is a vital part of the life of every professional.

**4. Service to people who need help.** Millions of people in our country are unable to afford basic legal services. Public interest organizations of all persuasions are struggling to survive. Government agencies are underfunded and understaffed. All these groups would benefit from additional legal assistance. Moreover, the legal profession has adopted the obligation to perform public interest legal service in the ABA's Model Rules of Professional Conduct. But few lawyers are fulfilling that obligation. A pro bono requirement for law students would help both to ease the current crisis of unmet legal needs, and to ensure that the next generation of lawyers takes its obligations to the larger community in which they live more seriously than their predecessors.

I hope that we at Villanova can begin to consider the difficult issues raised by mandatory pro bono programs. I remain firm in the conviction that law schools need no longer subscribe to the motto, "Same as it ever was." Accepting our responsibility to the legal profession and to our fellow citizens as well would be one small way to recapture the altruistic ideals that brought many of us to law school, and that too many of us have abandoned somewhere along the way.

*"Maybe you don't really want to be reminded of what you said in your pre-law essay."*

graduate from law school? Obviously, if the answer is yes, then a host of other questions about defining the scope of required service, ensuring adequate supervision, and administering the program itself would also have to be addressed. But those questions are best left for another day. The fundamental issue — should pro bono service be mandatory in the law schools — must be resolved first. In a sense, by resolving that issue, we also answer some questions about the role of legal education itself.

I think that we ought to require all upper-division law students to perform a modest amount of unpaid legal work in order to graduate from law school. My purpose in this column, however, is not to submit a brief in support of this proposal. Rather, my purpose is to open a dialogue about what law schools can do to foster the professional obligation of lawyers to provide legal assistance to those who cannot afford it. I hope to encourage those who agree with me, and particularly those who disagree, to voice their opinions as well.

**2. Exposure to other areas of practice.** Students often complain that the law school's curriculum is heavily weighted toward corporate and business-related courses. A pro bono requirement would ensure that all students obtain exposure to the aspects of legal practice that are most neglected in law school: representation of those who cannot afford lawyers, public interest law, and government work. It might encourage alternative career paths for a few students. But that would not be the primary goal of the program. More importantly, future lawyers might realize that they can use the skills they have learned in law school to make a difference in people's lives, and that they can continue this service even when they enter private

## PILS Advocates Loan "Forgiveness"

by Beth Hillig

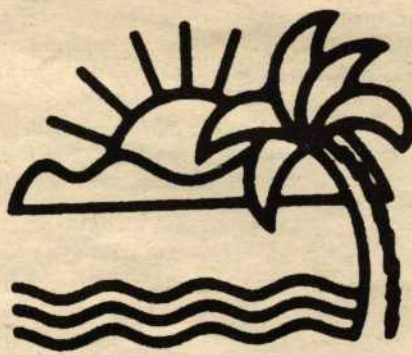
The Villanova Public Interest Law Society has established a committee to advocate implementing a Loan Repayment Assistance Program (LRAP) at the Law School. Such a program would enable VLS graduates to accept public interest employment despite their substantial educational debt. Villanova students leave law school with debt burdens as high as \$60,000. This can make it virtually impossible to pursue a career in the public interest sector, where entry level salaries are often as low as \$15-18,000.

Through an LRAP, a graduate's ability to repay his/her debt is calculated based on total indebtedness and income. If total yearly payments exceed that ability to pay, interest-free loans are made to the graduate from a law school fund to complete loan payments for the year. At the end of the graduate's eligibility for LRAP assistance, that money is repaid to the school. Loan "forgiveness" is instituted if the graduate continues public interest employment for a specified number of years, with partial forgiveness beginning in most existing programs after the third year of employment and complete forgiveness after the tenth year. This mechanism not

only encourages entry into public interest employment, but fosters a continuing commitment to such employment.

An LRAP would be administered through a special law school fund. These funds are usually supported by, among other sources, contributions from alumni, law firms, corporations, and foundations. Administration of program loans would be supervised by the Financial Aid Office and the Dean's Office through an LRAP committee comprised of administrators, faculty, and students.

In addition to the direct benefits to program participants, an LRAP will serve the entire law school community. The program will enhance the diversity of the student body by attracting prospective students interested in public service who might not otherwise be able to afford a VLS education. An LRAP would provide a concrete display of Villanova's commitment to community service. Villanova's establishment of a Loan Repayment Assistance Program would place it among the ranks of over 40 nationally recognized law schools which have instituted or proposed LRAP's, including Harvard, Stanford, and the University of Pennsylvania.



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## International Law Society Hosts Human Rights Speaker

by Fred Sand

Mr. David Stewart, Assistant Legal Advisor for Human Rights and Refugees at the State Department addressed a small, but committed, audience on Tuesday, January 22. His talk was sponsored by the International Law Society of Villanova Law School.

Mr. Stewart's talk covered three points: (1) the status of ratification of human rights treaties by the U.S. Senate; (2) initiatives in exporting human rights to eastern European countries which are attempting to democratize; and (3) domestic legislation in the human rights arena.

On the first point, Mr. Stewart walked the audience through the recent ratification efforts of the U.S. Senate. He noted that the U.S. has been a consistently strong supporter of human rights initiatives and was, in fact, a prime backer of the U.N. Bill of Rights. However, ratification of these treaties in the United States Senate has been paradoxically slow and tortuous. It took 40 years and many legislative bruises to finally ratify the genocide convention. The torture convention did not take quite so long, but still was a very gradual and difficult process. How could a country that has been consistently on record as against genocide and torture drag its heels on these issues, when even conservative legislators must surely have agreed in principle with the treaties? The answer, according to Mr. Stewart, lay in

the inherent problems of a federal republic where the rights of the states must be protected against encroachments on the Tenth Amendment. Particularly, Senator Jesse Helms, the arch-conservative Republican from South Carolina, fought any attempt to diminish the role of the several states in protecting states' rights from the imposition of foreign international legislation foisted on the United States through the Federal government. Finally, the State Department was able to get this important treaty made a part of U.S. law, but not before cobbling together a whole series of reservations, declarations, and understandings — a package of provisos, as they are called — that would satisfy the conservative distrust of erosion of states' rights.

The trauma of ratification on torture and genocide was such that the Senate may not be prepared to take on the treaties on rights of women and rights of children, two important conventions that have significant institutional backing in America. For this reason, Mr. Stewart suggested that perhaps the next ratifications in the treaty pipeline would be the relatively non-controversial ones on civil and political rights and on discrimination. These might be much easier pills to swallow for the U.S. Senate because they would not require the Senate to deal with the ERA and various feminist agenda (in the convention on rights of wom-

en) and with some very intrusive and very specific provisions in the treaty on children (such as the right of all children to recreation and strictures on adoption that might affect religiously-affiliated adoption agencies).

Moving on to his second point, State department assistance to emerging democracies in Europe, Mr. Stewart said that the era of human rights treaties may be largely over. The wave of the future may lie in much more specific and hands-on assistance between the relatively free and mostly democratic states and their more repressed counterparts abroad. This involves taking major principles (such as freedom of press or other first amendment rights) and translating them into practice in states like Rumania and the Soviet Union. The emphasis is on practical problem solving and implementation. For instance, following a demonstration at which large numbers of protesters were arrested, the U.S. would work with the foreign government on issues of bail, release on recognizance, access to counsel. When the Soviet Union recently adopted a provision for some sort of jury trial, lawyers, judges, and legal scholars worked with their Soviet counterparts on such issues as sources of jurors, instructions to jurors, jury sequestration, screening and challenges to jurors, nullification of judgments by jury, etc. Mr. Stewart stressed that these practical applications involve the ABA and the State

Department jointly. Further, there have been exchange programs between U.S. lawyers, judges, scholars, and Soviets to see each other's systems at work and to analyze them. Sometimes the U.S. experience is not very helpful to other countries. Mr. Stewart noted with sadness that it would be difficult to hold up the U.S. as a model for emerging democracies on the question of dealing with racial or ethnic minorities. Our own country's record in dealing with native Americans and with black Americans can hardly be an enlightened pattern. However, he stressed that the U.S. usually has something very important to share with the world about democratic government based on our two hundred years of experience.

Mr. Stewart's third and final point was on domestic legislation that had emerged from the Congress recently in the area of human rights and refugees. He noted that after ten years of debate the U.S. now had regulations on the granting of asylum. These included a new provision for temporary protective status when aliens cannot return to their home country because of armed conflict, natural disasters, etc. He noted that this might very well be the case for a Liberian student who, having finished her education in the U.S., would be very reluctant to return to the carnage of the civil war in Liberia, even

though this student could not claim that she would be politically persecuted. The new regulations on temporary protective status might well allow the Liberian to have a safe haven in the U.S. for some time until it was safer to return to her country. Also, the U.S. will now have a career corps of asylum officers, asylum adjudicators in the State department who will be trained by the United Nations and by various private humanitarian groups. In the past, this adjudication of deportation was handled on an unsatisfactorily ad hoc basis.

The evening finished as the audience attended a lively and spirited reception in the Reuschlein Room, where Mr. Stewart was peppered with questions. He was happy to share his thoughts not only about human rights, but about employment with the State department. Special thanks are due to Keith Grube and to Kim Kocher for their help with the reception.

### ILS Annual Dinner Upcoming

The International Law Society will be holding its annual dinner on Thursday, February 21, in the law school cafeteria. The guest speaker will be Mr. Paul Warnke, international arms negotiator. Mark this evening on your calendar. Further details about the time, menu, and tickets will appear shortly.

## Client Counseling

(Continued from page 1)

45 minutes; 30 minutes is allocated for interviewing the client and 15 minutes for follow-up between the lawyers themselves to evaluate the information. Elimination rounds are judged by panels consisting of two alumni with considerable experience and one faculty member. The finals are judged by three alumni who are usually prominent experts in the field of law principally involved in the client's problem. In the past the competition has been of great interest to alumni who judge the competition because of its importance to legal practice. Every attorney, regardless of specialty, will spend time interviewing and advising clients.

The purpose of the competition is to promote greater knowledge and interest among students in the preventive law and counseling functions of legal practice. Moreover, the competition provides an opportunity for students to develop interviewing, planning, and analytical skills in the lawyer-client relationship.

Dean Garbarino, the faculty advisor in charge of the competition, would like to see all 2nd and 3rd year students participate as attorneys. First years are welcome to play the parts of the clients. In the past, the competition has been very popular with students because it's not very time consuming. No briefs or memos are required in the competition. Last year over seventy students participated.

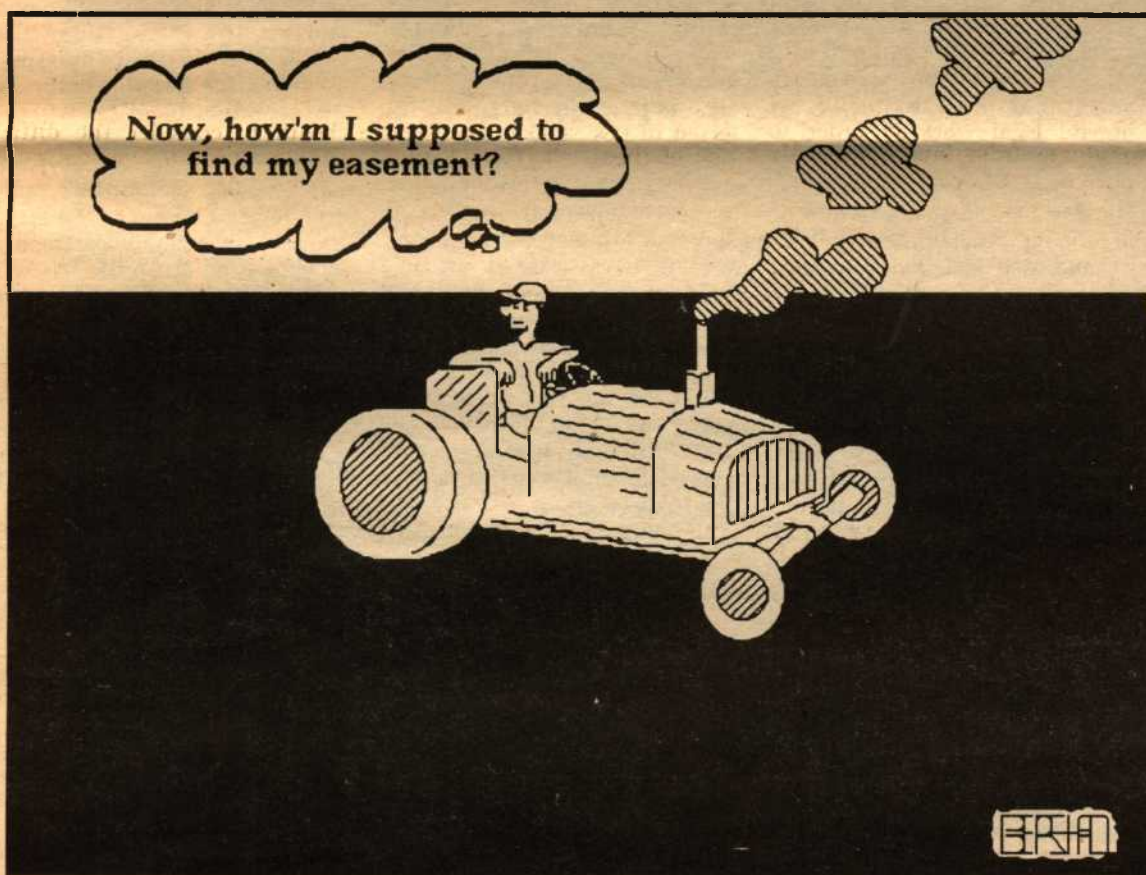
The competition will be formatted for single elimination rounds. Three teams will compete each night with the help of the Student

Bar Association which will be in charge of the competition. The competition will be held in rooms 43-44. Between the rooms is the one-way mirror. Judges will evaluate from behind the mirror, while the teams interview in the other room.

The winning team will represent the Law School in the regional competition on February 22 and 23 at a location to be announced. The National Client Counseling Competition, sponsored by the American Bar Association, will be held on March 8 and 9 at William Mitchell College in St. Paul, Minnesota. The winners there will proceed to compete in the International Finals in London, England on March 22. In 1985, when the National and International competition was combined, Villanova's team won first place.

The competition was started in 1969 by Professor Louis Brown of the University of Southern California Law Center. He personally offered contributions to those law schools which instituted the program and gave Villanova the cost of refurbishing rooms 43-44, where the competition takes place. The ABA took over the competition and has been sponsoring it since 1973. In 1988, approximately 85 U.S. and Canadian schools participated in the competition.

Dean Garbarino stresses that talent in this area is not directly related to how one does in class, nor do 3rd years have any advantage over 2nd years. However, the Dean does hope that those 3rd years who have taken his Client Counseling and Interviewing class will have some advantage in the competition.



Never purchase an easement on Blackacre.

## SBA, More than Beer

by Ed Ridgway

Now it's largely our fault that everyone keeps asking this question. The people who don't ask us this, largely believe that we are just responsible for buying the TG beer. But in addition to hosting several TGs already this year, the SBA has been busy with a number of other projects as well, including Family Night, the Blood Drive, the used book sale, the student directory, and the sweatshirt sale. By the way, more sweatshirts have been ordered, and are due to arrive by Spring.

Throughout the year we will continue to throw TGs and other events like the 100 Daze Party and Barristers Ball, but we will also be handling more serious functions like administering and calculating the teacher evaluations at the end of the semesters. The

Dean has agreed to meet with us to discuss the school budget and tuition increases. Meetings like this give us an opportunity to express the views that students have brought to us.

Just recently the SBA adopted a resolution requesting that the administration change the exam rescheduling policy. In response to the poor timing of the second-year finals last semester, and the importance that employers place on grades, we have requested that:

1. The exam schedule shall be

posted during the course selection period.

2. Three exams in four days

shall be valid reason for rescheduling.

Hopefully we will see this become reality soon.

The SBA wants your feedback. The group is intended to be a liaison between the administration and the students, and we need student feedback to be more effective.

The early publishing of the exam schedules this year was largely due to SBA response to student complaints. If there is an issue that you need to discuss, or a gripe that you have about the new courtyard, come to our office and tell us about it. We've attempted to make sure that there is always someone in the office during normal school hours, and the new suggestion box is in the vending room for your comments 24 hours a day. Please tell us how we're doing, and what else you want us to be doing. That is, unless you think the school is perfect just the way it is.

## Saddam Hussein Riddle:

"What does Saddam Hussein and his father have in common?"

Answer:

"Neither one of them pulled out on time."



# Leiden Law

by Steve Kellis

In the Spring semester of 1990, I had the opportunity to study law abroad in The Netherlands. It proved to be an educational as well as culturally satisfying experience. I chose the University of Leiden for its curriculum with foreign students and its reputation as one of the finest law schools in Europe. The International Student Program for the study of law consisted of 80 students from various European countries and 15 law students from the United States. Among

*"... the only clogs anyone will find are in souvenir shops."*

the American law schools represented were Florida, Emory, Stanford, Georgetown, Notre Dame, UCLA, Michigan, Virginia and Villanova.

The various classes I enrolled in for the semester included European Community Law, International Institutional Law, Judicial Protection in the EEC, Air and Space Law, and Private International Law, for which I earned 12 credits from Villanova. The classes were composed of half Dutch students and half foreign students with the Dutch professors conducting the lessons in English. There were foreign students from Germany, Italy, France, Denmark, Sweden, Spain, Israel, and Greece. All of the different nationalities added to a unique classroom atmosphere and discussion.

The curriculum also included excursions to the various institutions throughout Europe. With our professors we visited first hand the European Parliament, Commission and Council of Ministers, International Court on Human Rights, European Court of Justice, and NATO Headquarters. A week excursion to France, Luxembourg, and Belgium was an even more memorable experience since it was subsidized by the Dutch government. The lectures we heard, given by Dutch representatives to each of the institutions, provided us with much more information than we could ever have learned from a textbook.

It was ironic for the American students to have an advantage over the other European students since the lessons were taught in our native tongue. However, it was also surprising to learn that students from European countries are taught various languages from the time they begin their schooling. For example, almost all Dutch students can speak up to four languages fairly fluently: Dutch, English, German, and French. In order for Holland and other smaller countries in Northern Europe and Scandinavia to communicate with their neighbors, it is a necessity for them to learn as many languages as possible.

It is amazing how a country of

have been more satisfying. For five months I lived almost like a true European. After arriving at the University of Leiden, I was given accommodations which were not too appealing. However, during my first day of classes, I met a Dutch student who invited me to take a room at his student house. That was my home for the next five months. It was a large student house consisting of 25 Dutchmen studying mainly law and medicine. It was also very unique to be the only foreigner in the house.

At first, the guys in the house would speak English to each other so I would not feel left out in conversation, but then they decided I should learn Dutch,

ery, and the Bulldog Cafe, such as its unique museums, shops, and canals.

A common misconception is that Holland is famous for its windmills and wooden clogs. In order to see windmills one must go far into the outskirts of towns and the only clogs anyone will find are in souvenir shops. The main mode of transportation in Holland are the fourteen million bicycles. Everybody gets around town on their bicycle and one sees them everywhere.

After studying abroad in Europe for a semester, it was amazing to find out how Europeans view Americans. In Europe, Americans are often stereotyped as being



Steve Kellis

## Sports Law Hosts "The Agent of the Nineties"

Steve Kauffman, Esq., a Professional Sports agent and head of the Kauffman Sports Management Group, will be the inaugural speaker for the fledgling Sports and Entertainment Law Society on Thursday evening, January 31st at 7:00 p.m. in Room 29. Often called "The Agent of the Nineties," Mr. Kauffman is well known for his negotiating and free-agent contract strategies. In addition to contract negotiation his firm specializes in all aspects of financial planning for the professional athlete.

Mr. Kauffman is a graduate of the University of Pennsylvania Law School. A certified public accountant, he was formerly a member of the tax department of Touche Ross & Co. He has written, lectured, and taught in the area of estate planning as well as in the area of sports representation.

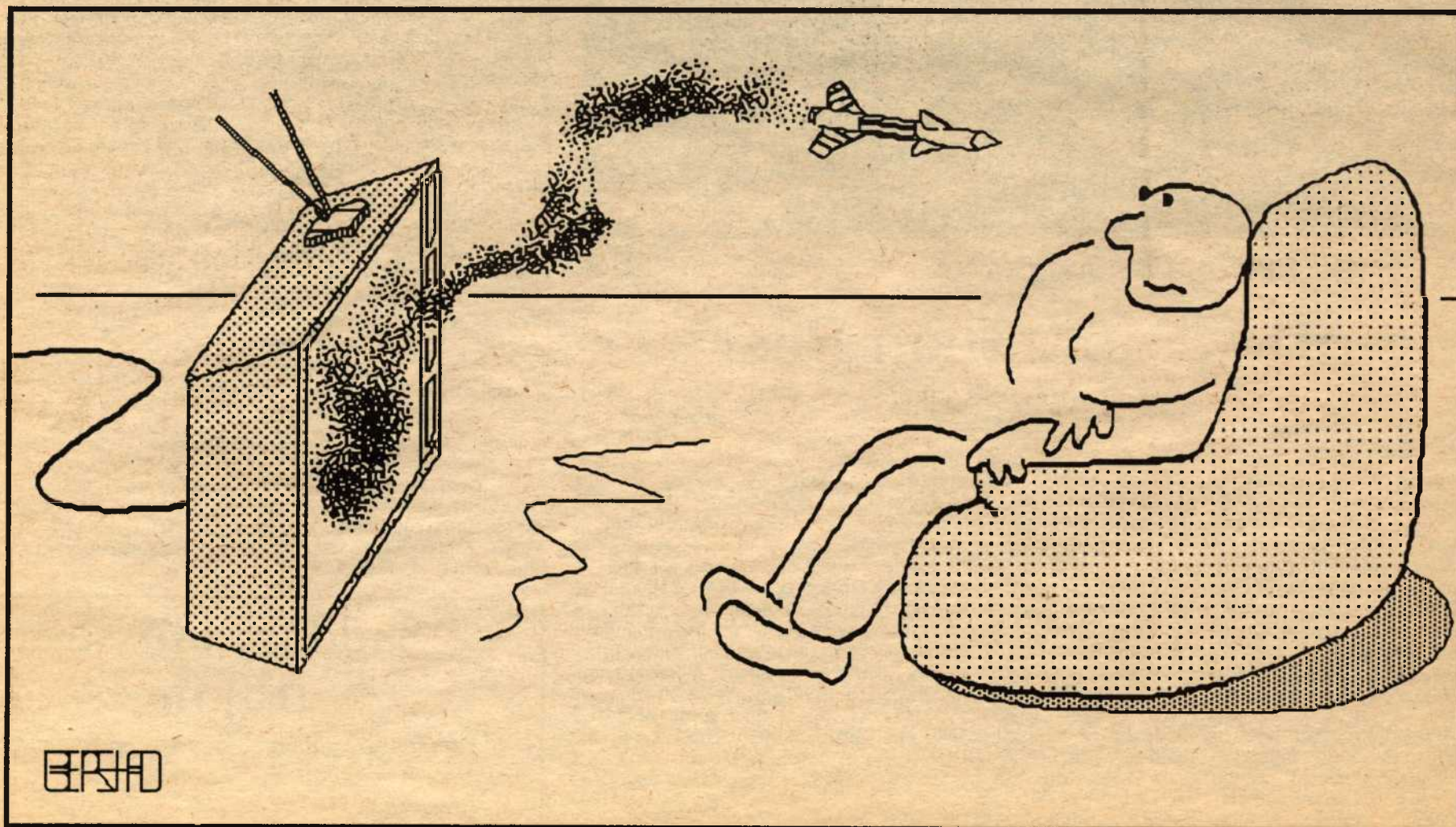
All Villanova Law School and Villanova University members are invited to attend. A wine and cheese reception will follow the lecture.

thirteen million people that is the size of New Jersey can be so internationally oriented. The Dutch are so concerned with world affairs and politics that it is not surprising they know more about the United States than most Americans. The Netherlands is a leader in the evolution of International Law and it seems appropriate that the International Court of Justice resides in The Hague.

Culturally, my stay could not

which proved to be an impossible task. My housemates introduced me to many people in the university and also to Dutch-thinking and way of life. They took me to many interesting parts of Holland, including Amsterdam which is only 30 minutes from Leiden. Amsterdam is one of the most exciting and culturally-satisfying cities in Europe. There is much more to Amsterdam than the Red Light District, the Heineken Brew-

loud, obnoxious and close-minded. Europeans view our society as being too fast paced in contrast to their more relaxed attitude about daily life. Americans should not think that they can learn about Europe in a thirteen cities/two week vacation package. I am very grateful that I had the opportunity not only to see Europe, but to live there and experience all of its cultural and social aspects.





# "LEST WE FORGET" THE MOVEMENT... THE MAN...



March 28, 1968, Memphis: Speaking to rally at Mason Temple

**REV. DR. MARTIN LUTHER KING, JR.**  
**January 15, 1929—April 4, 1968**

## The Observation of Dr. Martin L. King, Jr. Day

Almost everyone is familiar with his name and knows of his accomplishments, but the day, January 21, set aside for observation of Dr. Martin L. King, Jr., and celebration of the principles he stood for, went unnoticed in Garey Hall. Like most federal holidays honoring great men, such as Columbus Day and Presidents' Day, classes were held and business continued as usual at Villanova Law. Even though a few professors and a few students acknowledged the day, no special programs or events were scheduled. The Black Law Students Association

(BALSA) wore red/black/green ribbons, on his actual birthday, January 15, and also on the observed holiday.

Not everyone agrees that Dr. King's day should be treated like a normal federal holiday. Some students agreed that something should have been planned to honor Dr. King. As one student states, "He directly affected our generation, legally and socially. He changed the method of protest worldwide. He is a celebration of peace." BALSA students have begun plans for a program next year.

Ironically, the United Nation's deadline for a peace resolution in the Persian Gulf ended on the actual birthday of Dr. King, a man most Americans associate with peace. The Arizona legislature is the only state in the United States that doesn't even recognize the holiday.

The BALSA bulletin board displays a poster featuring Dr. King and the words read, "Lest we forget... The movement... The Man... The message is clear."

*Shawn Fleming*



## Ours is Not a Disposable Society

by Mark Helwig

Although it is getting short shrift in the news due to the War in the Gulf, I think a column dedicated to the environmental issue is nonetheless appropriate.

Specifically, I'd like to address the issue of solid waste. There is simply too much of it in our country, and it's high time we did something about it.

Statistics show that we as a nation produce more garbage per person than any other country on earth (Non-legal writing is a wonderful thing — no citations necessary, and bald assertions are ok!). A lot has been written about the evils of our disposable society, but, unfortunately, little that is substantive has been done. The recycling movement has, surprisingly, taken off in the past year or so, but we have a long way to go.

What I propose is a solution whose success does not depend on the collective conscience of the American public, as the recycling programs are, (yes, I am aware that recycling is mandatory in many municipalities, but do you really believe that it is enforceable?) but instead is based on good-old economics.

What I propose is that the federal government tax the manu-

facture of certain disposable products to an extent which makes their use no longer the relative bargain they now are, compared to the cost of reusables. For example, if we sufficiently taxed the manufacturer of those styrofoam boxes that McDonalds uses for its Big Macs, perhaps McDonalds would find it economically advantageous to use washable plates instead. The goal is to make the use of reusable plates significantly cheaper than the use of disposable containers.

This really isn't the unfair taxation and burden on the disposables industry that it might seem at first blush. We can limit the level of taxation on the product to the actual cost of disposal. For example, the manufacturer of the styrofoam box now pays only the price it costs him to make the box, i.e., the cost of the raw materials and the manufacturing process. The cost of disposal is borne by society as a whole. In fact, the cost will be borne by those to come.

Presently, we think of disposal of the styrofoam to be the cost to dump it in a landfill. Sometime in the future, however, we will run out of landfill space. We are avoiding payment of the disposal cost until we do. At that time, we will have to renew our landfills

by encouraging the decomposition of the materials in them, not unlike renewing forests from which timber is cut to ensure timber for the future. Styrofoam and other plastics being for the most part nondecomposable will permanently take up space. Hence, the cost of disposal is high. This is the cost I would like the producer to pay up front.

interest to expand and streamline recycling programs.

The tax revenues collected will be used to rehabilitate disposal sites, and expand recycling programs by subsidizing recycling plants. Ideally, by creating less waste, recycling more and rehabilitating landfills, we could achieve landfill equilibrium, and not have to commit more and more

Finally, there will be fewer throw-aways, as industries get away from unnecessary packaging, and as the McDonalds of the world get away from disposable boxes and instead use washable dishes.

For those out there who think that this is too radical, and that the American public will never go for it, let me remind you of a few things. First, just because as a nation we are used to our disposable society, that doesn't make it "right" or "normal." We have in the past not had to worry about what happened to our garbage, because we have always had lots of extra space in which to put it. However, now that our oceans are swimming with garbage, and landfill space is getting scarce, it is becoming a necessary concern. We can either start getting the problem in hand now, or we can wait until it becomes a crisis, and lament that we didn't take solid waste more seriously before.

Secondly, to those who think a tax like this one will stifle the economy, I counter that it is inevitable, and furthermore will provide economic opportunities in the form of making recycling more and more cost effective, and in the cleaning of the newfound plethora of reusables, be they milk bottles or dishes at McDonalds.

"... the cost of disposal is high."

The effect of such a tax will be to limit the further manufacture of unnecessary disposable products (for example, disposable plastic razors, unnecessary packaging, and of course fast-food boxes). It will also encourage more recycling of those disposables still on the market, since the tax will be based on the cost of disposal, if the cost of disposal goes down, then the tax will go down. The cost of recycling disposables should be significantly less than the cost of landfilling it, because landfilling will include now the extra costs of perpetual garbage management. Thus, it will be in these manufacturers'

land to be used as the final resting place of candy wrappers, soda bottles, and whatnot. Recycling will be promoted in two ways. First, subsidizing recycling plants makes running such a plant more attractive. The tax should be enough to recover most of the cost of the recycling process, so that the plants could make a healthy profit from the resale of the material. Secondly, as stated above, manufacturers of disposable products will have a vested interest in recycling, because the more recycling there is, the lower the disposal cost, and therefore the lower the tax on the manufacture of the disposable product.

## Corporate Career Ops

by Scott Levin

On Tuesday, January 15, 1991 the Corporate Law Society and Career Services presented a panel discussion on **Career Opportunities in Corporate Law**. The discussion was moderated by Michael N. Becci, Associate Counsel for SPS Technologies. The Panel consisted of Laura Grossi-Tyson, an attorney at Sun Refining & Marketing in Philadelphia, Ann Mule, Chief Counsel of Corporate Transactions for Sun Company in Radnor and Richard L. Sherman, a partner with Pepper, Hamilton & Scheetz.

The topics included: what does in-house corporate counsel do day to day, how in-house corporate counsel differs from working in a corporate department of a law firm, how to prepare for and acquire a job with a corporate legal department and what career opportunities as in-house counsel will be available in the nineties. Richard Sherman was especially enlightening since he had previously worked in the corporate legal department at SmithKline Beecham and is now a partner at Pepper, Hamilton & Scheetz. Having this dual perspective enabled Mr. Sherman to have a

better understanding of the differences between in-house counsel and law firm work, and he was very effective in communicating the distinctions to the students.

Over eighty Villanova law students attended this function and it was videotaped and is available

at the library desk under "The Corporate Law Society: Career Opportunities in Corporate Law."

Upcoming Corporate Law Society events include a TG in February, a joint speaker event with the International Law Society featuring attorney James Silkenat speak-

ing on **International Corporate Finance** on March 12, and a Banquet with a featured speaker in April. The society is also excited about the first publication of the "Corporate Law Society Newsletter" which is due out this spring.

### War! Hub! What is it good for?

by David Krell

War is ugly. War is bloody. War is messy. War is hostile. War is cruel. War is torturous. War is murderous. War is savage. War is hell.

By the time this piece goes to print, the Gulf War may be over. But until that time, we the people should be uniting in the effort against Saddam Hussein. Nobody likes war, at least nobody I know of. But this madman has got to be stopped. Now.

Saddam Hussein is nothing more than a bully. But he's not satisfied with his own playground. In plain and simple terms, Iraq has taken something that's not theirs, and now they must give it back. Otherwise, smaller countries will continually be invaded. That's what this war is about. Not President Bush trying to show how tough he is. Not to prove that the military build-up during the 1980's was a good idea.

There are those who ask why we should be involved in the Middle East. The answer is that we are the only ones who can put an end to these events quickly. The protesters don't seem to understand this. Some are out there legitimately exercising fundamental constitutional rights. Yet there are some who can be deemed professional protesters who march for things they don't know or understand. If they want to protest the United States getting involved, so be it. But, these people should not be protesting the soldiers. We don't need another homecoming like Vietnam.

The men and women in the

Persian Gulf need our support more than ever. Anything less would be akin to desertion. Yet I hear stories that make me sick to my stomach. Like the one about the high school principal who gave a group of students disciplinary action. Why? Because they were peacefully burning an Iraqi flag in the school parking lot after school. I guess if it was an American flag, the principal would not have done anything. Jane Fonda lives on.

I don't know of anyone who wanted this war. When I hear about American men and women getting killed in the Gulf War I get a lump in my throat and yet I feel proud at the same time. It is quite a strange mix of emotions. The same thing happens when I see and hear the American and other prisoners of war. These soldiers are fighting for us and our way of life. Maybe our way is the best way and maybe it's not. To paraphrase Winston Churchill, democracy is the best of all possible worlds.

Lt. Col. Henry Blake, a character on "M\*A\*S\*H", once said something that is painfully true. "There are certain rules about a war. Rule Number One is 'Young men die.' and Rule Number Two is 'Doctors can't change Rule Number One.' And neither can we. But we must understand that the soldiers are over there for a purpose.

Like the man said, freedom ain't free. We're in the gulf War to see that the land of the free remains the home of the brave.

"Tort, Equal Rights Amendment, Judge Wapner.  
The People's Court! Roe vs. Wade??  
Depositions...arbitrations. Divorce Court!  
Private practice...Rusty the Bailiff commercial litigation.  
Griswold v. Connecticut attorney, counselor.  
Personal Injury. Alimony. L.A. Law."  
"Arriba arriba, ándole ándole. Dos Equis!  
Speedy Gonzalez...Acapulco...Tequila.  
Margaritas nachos! The.3 Amigos. Olé. Nachos  
and Cheech & Chong. Cancun. Ricky Ricardo salsa?  
Juan Valdez. Puerto Vallarta, fajitas.  
The Nina, The Pinta, The Santa Maria. Siesta or fiesta?  
Ricardo Montalban."  
"Someone v. The State of California. Paralegals,  
beneficiaries, and heirs. Brown v. Board of Education.  
The Bar!?! Mergers. Partnerships. Kramer vs. Kramer...  
Associates. Verbatim. To Kill a Mockingbird. Due  
process of law, Court Reporter Doug Llewelyn.  
The Paper Chase."

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## OP-ED

## European Students Shed Light on German Environment

by Meghan Mastellon

In the United States, the synonymous concepts of virtue, morality, justice, and ethics have become big business. Universities and law schools are quickly setting up ethics courses. Accounting firms, trade associations, and media conglomerates now offer sets of ethical commandments and credos. All this hype has forged the role of ethics to the forefront of debate. Why this sudden ethical immediacy?

As the following classroom discourse illustrates, no portion of society is untainted by ethical problems.

"So, what do you do when you know your client has an extremely weak case, but wants to win, and is in fact willing to lie to get that win?" asked the law professor.

"I'd advise my client of the law first and suggest to her that she's probably forgotten to tell me some of the facts. These facts, of course, would secure a win," a student replied confidently.

"So in other words, you'd tell your client to lie?" asked the law professor.

"Well, yeah, but it wouldn't be lying because that's what everyone does," replied the student. "Besides, my client

hired me to win the case for her."

"In other words, you want to win at whatever the cost?" asked the law professor.

"That's what I'm being paid to do, right?" answered the student.

"Don't you see anything unethical about what you'd be doing?" posed the law professor.

"No," the student said.

"Ugh! I can't believe what you said," exclaimed the law professor, motioning her arms forward, "That's it, I've just thrown you off a cliff."

Obviously, the tension between ethics and society's politics is real. During the past few years, Americans have witnessed a union of social, political, and moral isolationists. This union ushered in a rampage of contradictory purges. For example, the allegations that sank Senator John Tower's appointment as Secretary of Defense never suggested illegal activity. It is possible that his personal activities would have been ignored had he remained out of the public eye. In fact, when Touche Ross conducted its 1988 survey of ethical norms of business, government, the law, and other institutions, it chose Sena-

tor Tower to write on ethics in government.

As the Tower case illustrates, it is imperative to ask whether Americans are abandoning an enduring ethical standard in favor of shifting popular taste. If we agree that freedom, human dignity, happiness, welfare, and justice are fundamental American values, why do we define their role within society?

*"... forests are damaged, foamy rivers — deep brown or black in color — are dead, and the snow in winter is black."*

We cannot relegate them as private choices. We cannot be social, political, and moral isolationists. We need a moral center, not a moral enclosure. Before a moral center is possible, we need to eradicate our present stand on ethics. Contrary to various codes and pledges, ethics has no bottom line. It is not a commodity that can be bought and sold. Rather, ethics is acquired. Ethics is part of one's character. It is formed throughout one's life.

Ethics is not a religious doctrine. It is what we owe to one another as fellow human beings. With ethics, we keep our individual, social, and global relationships at an equilibrium. Overall, ethics is a maturation process that a community pursues together.

Working together is no easy task. As the behavior of most individuals indicates, it is easy to instill the concept, "This is mine. Hands off." It is harder to teach "This is hers. Leave it alone." It is harder because we don't recognize ethical truths. As Americans, we tend to get our ethics "off the rack." What we deem as ethical is a contradictory miss-match of do's and don'ts. We compile and

term gratification and excessive materialism. He envisioned individuals learning that what is right is also useful.

DeTocqueville's observations require Americans to distinguish between justice and injustice, personal good and public interest, and good and evil. Ignoring these distinctions, warned DeTocqueville, destroyed democracy.

revise our ethics to suit our mode of operation, be it child, student, employer, employee. Our purpose is always individualized. It is never social.

Without an ethical code, our society is a utilitarian enterprise training and sorting competitors for the economic system. The ramifications are circular — purges leading to new ethical codes leading to new purges.

There are no manuals or quick successes to ethics. The key is to link thought and action with knowing and doing. Alexis DeTocqueville saw this link.

In *Democracy in America*, Alexis DeTocqueville used the term individualism to describe the American character. Yet, he hoped that long-term self-interest and compassion would override short-

Overall, our choices of action make up America's code of ethics. If our choices are made uniformly, we can ensure stability in the convictions of every American.



## Ethics: In Need of a Moral Center

by Meg Murphy

VLS students have the opportunity to gain unique insight into aspects of German reunification with the presence at VLS of Steffen Kalauch of what was formerly East Germany, and Erik Kirby of West Germany. One issue of particular interest in this time of rising local environmental awareness is report of environmental devastation in eastern Germany — the byproduct of 40 years of unregulated East German industry. The extent of this toxic plight was largely unknown prior to reunification. As one Seattle Times reporter said in November 1990, "East Germany is instructive ... It is proof, perhaps, that there is nothing cultural about pollution control."

In an interview by the Environmental Law Society, Kalauch, who grew up in an industrial area in southeast eastern Germany, near the borders with Poland and

Czechoslovakia, described the political and philosophical perspective of the former East German government as focused on maximum industrial production. As a result, there was effectively no regulation of pollution and environmental activism was repressed as subversive. East Germans generally did not have a developed environmental consciousness, said Kalauch.

To the extent however that there existed an environmental movement within East Germany, the Church played an important role. Kalauch described one "environmental library" maintained by an East Berlin priest containing environmental publications collected illegally. Upon discovery by the government, the library was confiscated and the priest prosecuted.

Kalauch spoke of the pollution in the Halle Leipzig Bitterfeld region where much chemical

industry is concentrated. There, forests are damaged, foamy rivers — deep brown or black in color — are dead, and the snow in winter is black. Energy production, asserted Kalauch, has been a major source of air pollution. Industry and households both utilize the abundant and cheap brown coal or lignite, high in sulphur content, in light of scant oil resources. And the smokestacks of these coal burning power plants, said both Kirby and Kalauch, have no pollution control devices. Kirby said that the resultant acid rain has damaged forests, lakes and rivers in western Germany as well. Cited also as a major factor in the heavy air pollution in eastern Germany, are the East German automobiles, which are not equipped with emission control devices.

East Germany, prior to reunification, relied on Soviet designed nuclear power plants for approx-

imately 10% of its energy production, said Kalauch. Many of these nuclear plants have since been closed by the new German government because of their unsafe conditions.

Further, said Kirby, it is known now that East German industry dumped untreated waste, such as mercury, directly into rivers and ponds. The New York Times reported in July 1990 that "sewage, factory discharge and poorly stored toxic waste have contaminated soil and groundwater in many regions." The Washington Times reported in July 1990, that "[u]p to 20% of East Germany's fresh water is too contaminated to irrigate crops. Two thirds of industrial waste water is dumped untreated into rivers and settlement ponds." In the Bitterfeld chemical industry area, "[r]esidents suffer a variety of skin and breathing ailments and cancer is common." In this region, The

Washington Times continued, "life-expectancy is lower by at least five years." Elsewhere, "factories truck hundreds of tons of untreated waste to abandoned coal mining pits littered with rusting steel drums." Some of this waste is known to have originated in West Germany. Indeed, The Boston Globe reported in November 1990, that "for years West Germany sent its hazardous waste to East Germany, paying the Eastern government handsomely for taking an environmental problem off its hands."

Kalauch cited as one positive effect of the close government/industry tie in East Germany the mandatory recycling of paper, glass and oil. Recycling in East Germany was driven by economic pressure and the need for the goods collected, he said. In every town there were collection centers which have closed since reunifi-

(Continued on page 12)

## Trying to Find a Corner in Roundhouse

by Gina Masino and Tom Downey

Women's Law Caucus

The whole scene could be taken straight from a bad t.v. sitcom. No, Lucy isn't trying to get into Ricky's show; but a dozen hungry, destitute and hopeless people are staring at us, two first year law students, with pleading eyes as if we could grant them relief from the husband/lover who abuses them with a simple edict or a wave of the hand.

Well, actually, all are not hungry or destitute, and they are

rewarding it will be. We are not only laypersons, but mere volunteers who have to represent these people before the Bail Commissioner. Where is the paid staff member under whom we are supposed to be working? Where are the forms to be filled out? How do we start? How do we represent these people before the Bail Commissioner? How do we instill confidence in these people who are depending upon us to solve their problems when we have only done this once before?

Although there are no micro-

form, gives it to us, and we submit it to the Bail Commissioner who decides whether or not to grant the order. But in practice it is not quite that simple.

In comparison to what came later, finding the forms was the easy part. The Roundhouse, the main police headquarters in Center City Philadelphia, is ominously named for its distinct shape which only adds to the confusion on the inside. This building is the scene of bail hearings, arraignments and search warrant grants, and has the holding cells for those

I put where? Do I put the story of the abuse here or there? Should I fill this in or do you? Once everyone gets their names and addresses in the right place we have an opportunity to watch the arraignments taking place in the courtroom, as we await our turn in front of the Bail Commissioner.

Once there is a break in the commissioner's normal duties, he summons us. The procedure then depends on the individual commissioner. All but one send the plaintiffs around to the outside of

being an expert in class, except that we have a dozen cases.

In the end, the Bail Commissioner grants nearly all the requests. Those rejected, are deemed non-emergencies, or the defendant is not properly related to the plaintiff. They must be current or former lovers, or related by blood or marriage. Once the signed and embossed order is served, the defendant would be considered in contempt of court by approaching the plaintiff before the family court has a chance to make a final ruling. That court date is usually within ten days.

The whole experience is rewarding on two fronts. First is the narrow focus of representing people who need help with our legal process. The other is simply witnessing our police/law at work.

This is, in essence, the next step after a police ride-along. Please look for announcements in the newsletter for a Roundhouse Committee meeting, if you are interested in this opportunity. You can volunteer as often or as little as you like.

seeking emergency temporary restraining orders and a greater sense of hope, not food and clothing. Still, we feel a little overwhelmed. Who are we? We are volunteers at the Roundhouse, police headquarters in downtown Philadelphia, for a project run by Women Against Abuse. This is not strictly for women volunteers, it is for everyone. As yet we do not understand the challenge we are about to face this evening or how

phones, like in room thirty, it was easy to get the attention of those assembled, with a simple, "May we have your attention please." Once silent, they learned that the TROS they were seeking would temporarily prevent a specific person who had recently been physically abusive from coming near them. The procedure sounds much easier on paper than in practice. The person in need of help, the plaintiff, fills out the

awaiting trial.

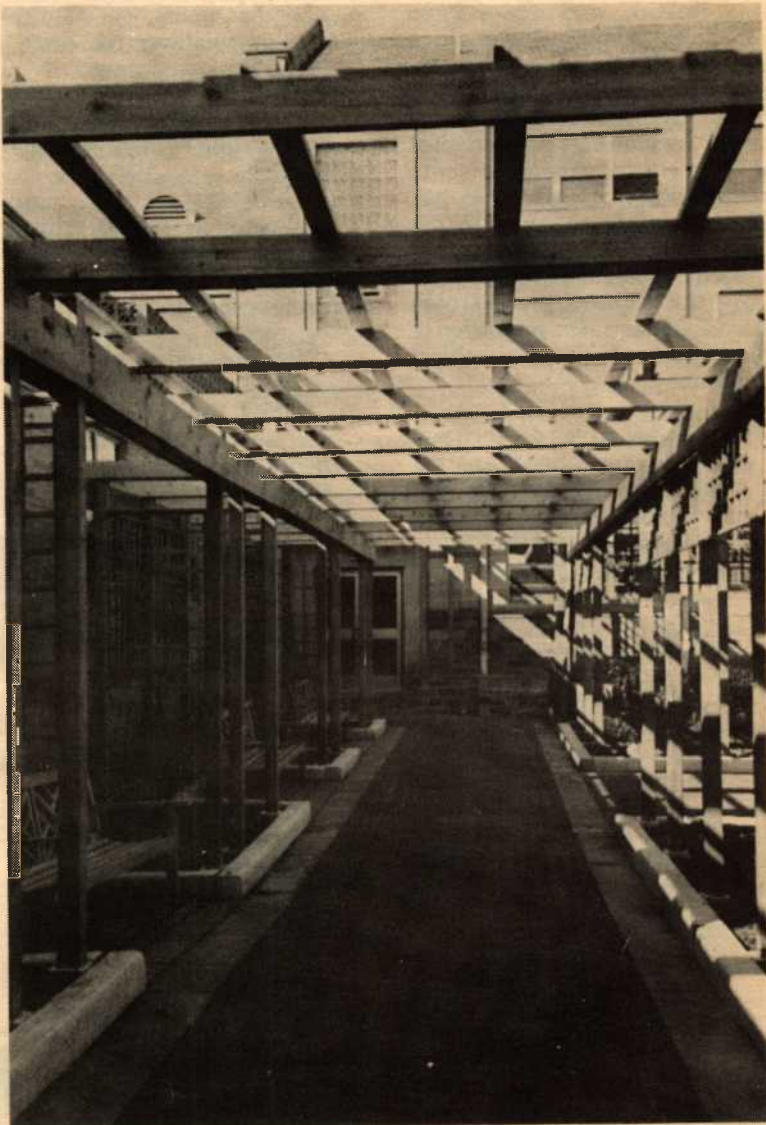
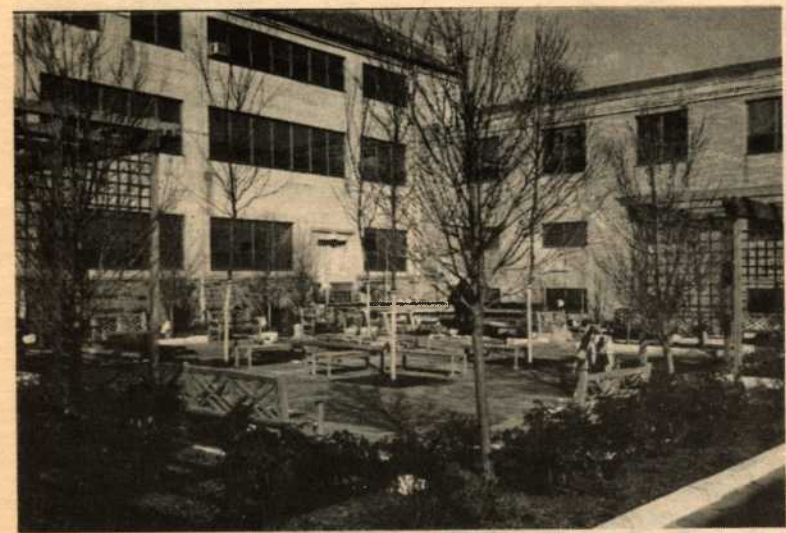
The bulk of our action takes place in the waiting room (really just a hallway) outside the courtroom. It is here that we have to keep ten people organized long enough to fill the same information in about fifteen different places on the forms. Not an easy task we assure you. The questions start as soon as we hand out the forms. Am I the plaintiff? Who is the defendant? What address do

the plexiglass that occupies the bulk of one of the room's three walls. The other wants them inside the secured room along with us. Some judges simply ask us a few questions about the first form on the pile, then sign all the complaints. A few will, also, address the plaintiffs directly, interrogating us and them; lecturing, questioning, sermonizing, encouraging or story-telling as they see fit. It is quite similar to



# Inquiring Photographer:

*“What is the courtyard thing?”*



John Forkin, 1L  
It's the new set for "Karate Kid IV."

Matt Brown, 3L  
I'm not sure, but something to do with Budda.



Andrea Drosnes, 2L  
Higher tuition prices.



Adam Rosen, 3L  
Primal Scream Chamber

**"Camera Shy:"**

Pete Ochroch, 3L, Vineyards with separate grapes for all the Deans. In fact, I've purchased the futures of Gabarino '93.

**"Camera Shy:"**

Sue Larson, 2L, Hopefully the new interview rooms.





David Dudrear, 2L, Beginner's erector set.



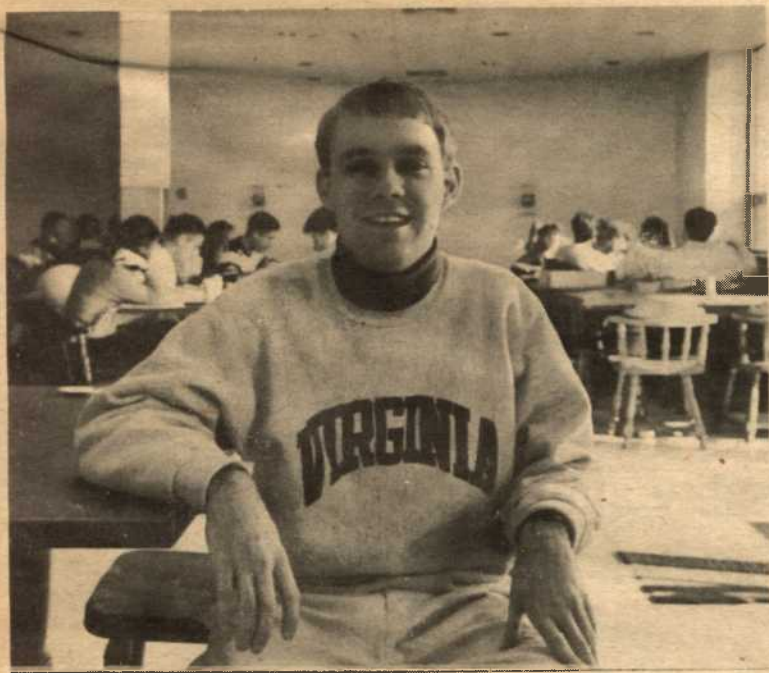
Ted Rosenthal, 3L, Chinese water slide and theme park.



Jeff Cohen, 1L, Its a Sukkaah.



Reg, Troullier-Lowery, 1L, chamber to have outter body experiences where the souls won't escape.



John Horan, 1L, bomb shelter.



Wardell Sanders, 3L, I'm not sure but I think it measures faculty ingress and egress.



Suzanne Bender, 3L, I dunno, but my picture is even worse than Ward's.



Andrea Hyfantis, 1L, jungle gym.



## We Now Have Flip-over Scoreboards. Cool . . .

The 1991 Villanova Law School Intramural Basketball League opened its season in January at St. Mary's gym, across the street from the Law School. The league will play on Friday afternoons until early April.

The Basketball League is run by three commissioners, 3L's Peter Dawson, Glenn Cunningham and William Fynes. The 1991 season features several new items that will enhance the hoops action including flip-over scoreboards, referee uniforms and detailed statistical updates on teams and players.

"Our goal is to make the intramural basketball season fun for everyone," said Dawson, "We want to spotlight the talented players in the law school, but we want everyone to enjoy themselves playing and watching the basketball games." The Commissioner added that fellow students are encouraged to come watch their classmates play some ball at St. Mary's. Games are on Friday's at 4, 5, 6, and 7 p.m.

To foster student attendance at the Friday basketball games, public relations mastermind Glenn Cunningham has planned several promotional events. Cunningham's main event will be the much ballyhooed All-Star weekend extravaganza, highlighted by a law school T.G. "The fans will attend the game in droves to watch law school All-Stars battle for the annual bragging rights between divisions," said Cun-

ningham. The Commissioner also hinted that the All-Star weekend halftime show may include the Sixer's mascot "Big Shot" as well as members of the Sixer's dance team, "The Dream Team."

The League will also feature an organized framework that will strive for competitive scheduling and detailed statistical analysis of each game. Assistant Commissioner Ted "Don't call me stat boy" Rosenthal will handle many of the scorebook chores. In addition Rosenthal will be handing

what he cryptically referred to as "The Cousy-Fynes Old Time Basketball Method." He stated that you will know it when you see it.

The Commissioners have released the following pre-season rankings for the law school teams:

1. RAMBLIN' SURVIVORS III — Awesome 3L powerhouse seeking the elusive 3-peat. Wasson. Thorton. Eisenhardt. Burns. Steady guard Mike Fagan dishing the rock. Look for reserve Mike Kunsch to complain about playing

Look for them to set aside personal animosity for each other, league officials and other teams and take care of business as they challenge for the League Title.

3. CASUAL DOGS — Huge wild card. Potentially a great team but plagued by bad luck. O'Kane is out for the year, and Owen's tender ankle is a question mark. Look for the new 1L team member, Steve Manetta to excel.

4. HAPPY B-DAY, GRANDPA — Will this team win a playoff game this year? A hard question.

player, but does he have enough talent around him for this team to reach the top. Team could take it all, watch out for these guys.

6. SHAKIN' BAKIN' CHEIK-EN — A good solid team with playoff experience. Youmans, Weitz, Grac and Cheiken are skilled players with potential, but can they beat the upper echelon teams?

7. CHEESY LEFTOVERS — The New York Knicks of the league. Perennial NIT contender but this year everyone's bitching, too many players not enough playing time. Good players with Doda, Fynes, Marble and Silvers, but Craig "Knee Brace" Palm? Give me a break, stick to Oil and Gas Law, babe.

8. WE GOT AL ON OUR TEAM — A veteran 3L team with some definite players that will win some games. But as the team name implies how good can they be?

9. PETER NORMAN GETS RIM — A decent 2L team. McDonald, Liebesman, and Jerry S. can play, but will they get production out of their big man?

10. CHUCKIN' AND SUCKIN' — These 1L guys probably stink, but I know them so they get the pre-season ranking. Horan can play and they have been practicing so who knows.

UNDER CONSIDERATION: First Round Bye (1L), Hanson Brothers (1L), The Jacuzzi Floozies (3L), Bushwood II (1L), B-Boys (1L) Dr. P.B. & J (1L).

Signed — The Commissioners

*There was supposed to be a photograph of law students carousing on a basketball court here. Unfortunately, the law student who took photographs of the carousing basketball players totally screwed up. Apologies, and we hope you enjoy the article anyway. Thank you, and have a pleasant day.*

various weekly awards, including "Player of the Week," "Defensive Player of the Week," and "Worst Shorts of the Week."

Commissioner Fynes will supervise the referees. Fynes has pledged to teach all the referees

time because of his Yoko Ono-like girlfriend/adviser. This is the team to beat.

2. BOTTOM HALF (formerly B & A) — Tough 2L squad. Lost leading scorer J. Kuhn, but replaced him with Steve Corr.

Ward Sanders, the consummate professional is a year older (how old is he? 35?). Addition of Legal Writing Duke could pay dividends.

5. ONE L HELL — The best of the 1L teams. Jim King is a great

## Ethics

(Continued from page 9)

cation, as in the west, recycling is not mandatory.

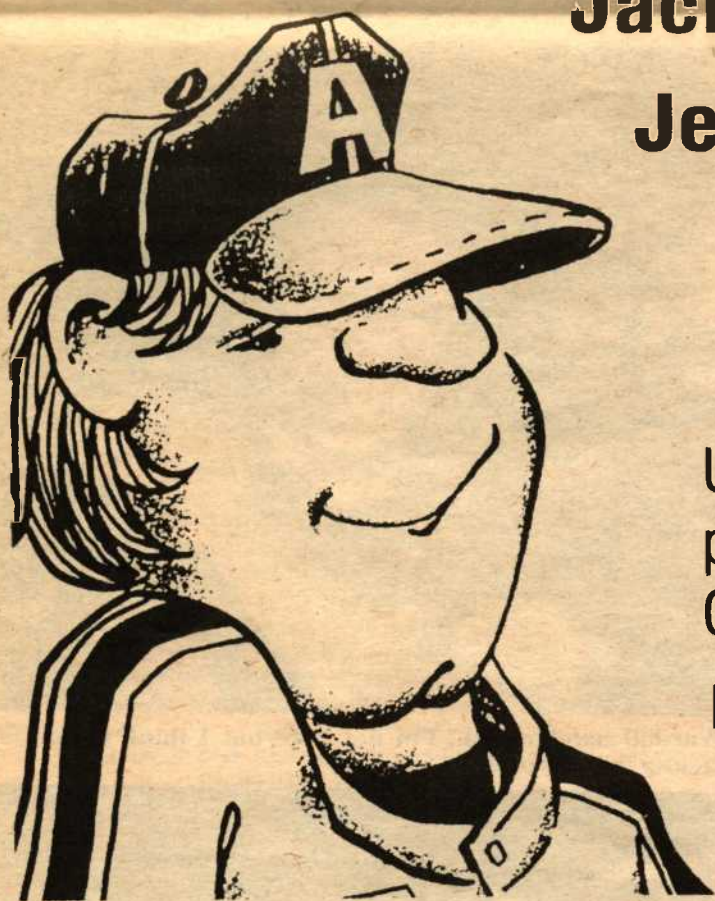
The environmental standards of western Germany are now applied in eastern Germany, which is one big drawback to investment in East German industry, said Kirby. Many potential investors are saying it costs too much to bring the existing eastern industries or their sites into compliance.

Estimates for the total cost of environmental clean-up in eastern Germany range from \$60 billion to \$600 billion. The new German government has allotted \$27 billion to bring eastern Germany into compliance with western environmental standards by the year 2000. When asked, Kirby said in fact that many Germans in the west resent having to pay for the cleanup of the East German environment.

Reuters reported in September 1990, that the European Community has "earmarked more than \$45 million to help East Germany catch up with the west." Uniformity of environmental standards is in fact, closely related to European economic integration. The Financial Times reported in July 1990, that the EC has decided to draft an "environmental code of conduct for West European companies setting up in the East," in order to avoid "any thought of taking advantage of East Europe's primitive environmental regulations to gain competitive advantage."



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